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Hoffa Junior: His Record Of Ties To Employers

"Your conduct is needlessly wasteful... The people you represent work hard. They do physical labor for a livelihood. They are not lawyers, and most of them have no hope of ever becoming a lawyer. They hope, in fact, through their membership in a union such as this to be able to educate their children as your parents were able to, to spare them the back-breaking work they are undergoing. Their dues in this organization are paid to advance their lives, not to set off your ego."

- Federal Judge Anna Diggs Taylor, Addressing Jim Hoffa, Jr., March 30, 1991

TEAMSTERS FOR A DEMOCRATIC UNION
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INTRODUCTION AND SUMMARY

Jimmy Hoffa, Jr. -- a Detroit attorney and the son of former General President Jimmy Hoffa, Sr. -- is running for the top post in the Teamsters. Hoffa, Jr., backed by Teamsters officials with a long history of opposing democracy in the union, is running a carefully crafted campaign to convince members that he is a rank-and-file reformer.

Yet while Hoffa, Jr. mouths the words of reform, his relationships with employers, his career as an attorney, and his financial status and work record tell a very different story. Rather than defending the interests of Teamster members, Hoffa, Jr. has shown a consistent pattern of crossing the line that separates employers and members. Similarly, while Hoffa, Jr. points to his legal career as the basis for his qualifications to run the Teamsters, he made no lasting achievements in the area of worker rights. Rather, Hoffa, Jr. demonstrated a willingness to work against democratic reform in the Teamsters. And finally, Hoffa, Jr.'s substantial personal wealth -- and lack of experience as a working Teamster -- clearly separates him from the situation of most rank-and-file members. Taken as a whole, Hoffa, Jr.'s record raises the question of which side he is truly on, and whose interests he would fight for as General President of the Teamsters.

Below we provide a summary of the main points of the story. The full body of the report provides more detail on each point.

> As a lawyer in Detroit, Hoffa, Jr. and his firm took legal fees from an employer, defending the company against a suit by a union member. The same company was recently cited by the National Labor Relations Board for engaging in unfair labor practices for refusing to bargain with a certified union. In addition, Hoffa, Jr. s long-time law partners represented a Teamster employer against the Teamsters Central States Pension Fund. The company refused to pay over $300,000 it owed in pension contributions for its Teamster employees.
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> Hoffa, Jr. s campaign is represented by the Detroit-based management-side law firm of Finkel, Whitefield, Selik, Raymond, Ferrara and Feldman. The senior partners of Finkel, Whitefield have represented Hoffa, Jr. and his slate in dozens of matters, including cases before the Teamster Election Officer and the Appeals Master. Finkel, Whitefield have an established, consistent record of working against the labor movement, including Teamster members and locals. The firm has helped employers to discharge employees unfairly, defended union busting, and worked against Teamster pension funds.
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> Hoffa, Jr. s closest associates also have disturbing employer links. Bill Hogan Jr., President of Local 714 and Hoffa, Jr. s chosen running mate for the post of General Secretary-Treasurer, recently hired the management law firm of Winston & Strawn. The

chairman emeritus of Winston & Strawn is on the board of Gannett Co., co-owner of the Detroit Newspaper Agency that has "permanently replaced" some 1,300 striking Teamsters. He also sits on the board of Union Pacific, which owns non-union trucking giant Overnite, charged by the NLRB with more than 100 labor-law violations in a Teamsters organizing drive. Winston & Strawn has a long history of representing employers against organized labor, including Teamster locals.

Apart from his connections to the management-side law firm of Winston & Strawn, Bill Hogan, Jr. also has a thick web of family ties to employers who either hire Local 714 members or operate in the trade show and movie production industry, areas organized by Local 714. This creates a serious conflict of interest between the members he represents, and the financial interests of his close family members.

Mike Bane, president of Local 614 and a key campaign strategist for Hoffa, Jr., was once a boss at a company that busted a Pittsburgh-based union. The National Labor Relations Board ruled against the company, requiring that all former employees be reinstated to their old jobs with back pay. Hoffa, Jr. is a member of Bane's local, and Hoffa has represented Mike Bane and his local.

Apart from his links to employers, Jim Hoffa, Jr. displayed a consistent pattern of working against the interests of members, defending a corrupt system that suppressed members' rights and enabled the old guard to run locals and pension funds with little or no accountability to the members. Highlights of Hoffa, Jr. s legal career include:

In 1989, Hoffa, Jr. defended in federal court a decision by George Vitale, the president of Local 283, to deny members the right to inspect their collective bargaining agreements, and to view the financial records of the local. While Hoffa, Jr. represented Local 283, Vitale was thrown out of the Teamsters for embezzling union funds.

As an attorney for Local 337 and the Michigan Conference of Teamsters Welfare Fund, Hoffa, Jr. and his law firm worked to deny Teamster members their rightful pension and disability benefits.

When a Teamster s legitimate grievance was denied by a Local 332 union official who was also a part owner of the company, Hoffa, Jr. and his law firm chose to represent the local against the unemployed member.

As an attorney for Detroit locals, Hoffa, Jr. worked against unemployed Teamster members who lost their seniority rights in agreements negotiated by Teamster officials seeking to protect the jobs of their relatives or to punish outspoken members.

When women Teamsters lost their jobs in a merger because Local 299 leadership failed to negotiate to protect their jobs, Hoffa, Jr. defended the local against the out-of-work women.

Hoffa, Jr. represented a group of entrenched officers at Local 707 in Long Island, New York who refused to leave office after they lost an election to a group of reformers seeking to rid the local of mob influence. A federal judge singled out Hoffa s behavior as "irresponsible and thoughtless," and called the actions of the Hoffa-backed incumbents an "affront to the rank-and-file of the Local Union" and an "embarrassment to the entire IBT."

While Hoffa, Jr. s history as a lawyer contradicts his claim of commitment to democratic reform, his campaign claims that he "lives as a Teamster" are equally unbelievable:

Hoffa, Jr. proudly notes in his campaign biography that he has "loaded and unloaded freight" and "worked as a Teamster truck driver, bus driver, and heavy equipment operator." The fact is that he has never made a living in a full-time year-round job as a working Teamster. Hoffa, Jr. s so-called Teamster jobs were nothing more than summer jobs arranged by his father. This was proven in 1991 when the IBT Election Officer ruled that Hoffa, Jr. was ineligible to run for the General President because he did not have the required two years of working in a "Teamsters craft." In addition, Hoffa, Jr. has never before run for elected office in the Teamsters union.

In his campaign, Hoffa, Jr. proclaims his opposition to "expensive IBT perks" and "high salaries" for Teamster officials. Yet for many years, Hoffa, Jr. received a $16,000-a-year retainer from the Central Conference of Teamsters. The Central Conference -- one of four U.S. Area Conferences -- was eliminated in 1994 by Ron Carey as part of his effort to eradicate the multiple salaries and pensions of Teamster officers, and to reduce on lavish spending and waste.

Unlike most "working Teamsters," Jim Hoffa, Jr. inherited more than $2.4 million from his father s estate. Part of the estate included more than $800,000 that Hoffa, Jr. successfully recovered from Hoffa Sr. s stake in the Teamsters Retirement and Family Protection Plan, a pension plan paid for by the IBT for Teamster officers and staff. In addition, the $2.4 million included proceeds from a coal mine investment made by Hoffa Sr. (and recovered by Hoffa, Jr.) with mob-linked investors, and the sale of a Florida condo financed with Teamsters Pension fund money. The Florida property was the site of a scheme for which Hoffa Sr. was convicted for misusing $20 million of Teamster pension fund money.

But the facts in this report -- Hoffa, Jr. s documented career as an attorney defending corrupt and anti-democratic policies, his close relationships with employers and with company-side law firms, and his privileged financial background -- tell a far different story about Hoffa, Jr. s commitment to reform. Below we detail and document each of these points.

1. HOFFA JR.'s DIRECT TIES TO EMPLOYERS

Jim Hoffa, Jr. claims that he will "restore the strength" of the Teamsters. Yet Hoffa, Jr. s tough words are hard to believe. Not only have Hoffa, Jr. and his law partners drawn legal fees from employers, but Hoffa, Jr. uses a management-side law firm to represent his campaign on a regular and on going basis.

Hoffa, Jr.: An Advocate for Employers

In 1991, Hoffa, Jr. and his law firm represented an employer -- Embassy Suites Inc. and W.R. Southfield Associates -- against a union member in Detroit.[1] Embassy Suites is not a union-friendly company. Recently, the National Labor Relations Board ruled that Embassy Suites unlawfully refused to bargain with the Hotel Employees and Restaurant Employees Union after the union was certified.[2]

Hoffa, Jr. also intervened on behalf of another employer -- National Metal Processing -- that was engaged in a contract dispute with the Allied Industrial Workers. National Metal eventually locked out the union, which has repeatedly filed unfair labor practices against the company.[3]

In 1995, Hoffa s long-time law partners -- Murray Chodak and Norman Robiner -- represented Wayne Car Releasing Services, Inc. against the Teamsters Central States, Southeast and Southwest Areas Pension Fund. Chodak and Robiner defended the company, whose employees are members of Teamster Local 299, for refusing to pay more than $300,000 it owed in pension contributions for its employees. The Fund won the suit.[4] Currently, the registered office of Wayne Car Releasing is at Jim Hoffa, Jr. s former law office, and its registered agent is Hoffa, Jr. s former long-time partner.[5]

Hoffa, Jr. Uses a Management Attorneys to Represent Him

Hoffa, Jr. s campaign is represented by the management law firm of Finkel, Whitefield, Selik, Raymond, Ferrara and Feldman. The senior partners of Finkel,Whitefield have represented Hoffa, Jr. and his slate in dozens of matters, including cases before the Teamster Election Officer and the Appeals Master.[6]

Finkel, Whitefield clients include Teamster employers such as Thorn Apple Valley, American Mailers, Foodtown, Orleans International, and Waste Management Inc. Three of these companies employ Local 337 members and one employs Local 20 members. The president of Local 337 Is Larry Brennan, who is also Hoffa, Jr. s employer at Joint Council 43; the President of Local 20 is Les Singer, who is running for International Vice President on Hoffa s slate.

Finkel, Whitefield has an established, consistent record of working against the labor movement and Teamster members and locals. The firm has helped employers to unfairly discharge employees, defended union busting, and worked against Teamster pension funds. It has even sided with old guard Teamsters seeking to block democratic reform of the union. Some of their cases include:

> Currently, Finkel, Whitefield is representing Roblaw/AJM Packaging against Teamsters Local 528 in Atlanta, Georgia in contract negotiations. In correspondence with the local, senior partner Robert Finkel wrote that Roblaw is "opposed to inclusion of a dues checkoff provision in any agreement reached with your Union." [7]
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> In 1993 Finkel, Whitefield represented Manimark Corporation in a suit against the National Labor Relations Board (NLRB). Finkel, Whitefield defended Manimark's firing of an employee for conveying employee complaints to management, including issues of workplace safety, wages and sick pay.[8]
>
> In 1992, Finkel, Whitefield represented Electri-Tech and Electric One against the International Brotherhood of Electrical Workers. The NLRB found that Electri-Tech had transferred work and contracted jobs in order to avoid its obligation to the union.[9]
>
> In 1991 Finkel, Whitefield defended Orleans International -- which employs members represented by Larry Brennan s Local 337 -- against the Teamsters Central States, Southeast and Southwest Areas Pension Fund. The Fund was suing Orleans International to comply with a NLRB decision requiring the company to provide contributions for an employee who had been illegally fired.[10]
>
> In 1991, Finkel, Whitefield defended the Caucus Club in Michigan against the Hotel Employees and Restaurant Employees Pension Fund. The Caucus Club refused to make payments to the pension fund as the union contract required. The Caucus Club lost the suit and was ordered to pay the money it owed the Fund.[11]
>
> In 1989, Finkel, Whitefield represented Hyatt Hotels against the National Labor Relations Board and United Plant Guard Workers of America. Finkel, Whitefield sought to block an NLRB enforcement order requiring Hyatt Hotels to bargain with the union.[12]

In 1984, Finkel, Whitefield defended the Brotherhood of Loyal Americans and Strong Teamsters (BLAST), a goon squad organized by Jackie Presser and officials close to Hoffa, Jr. to suppress the democratic reform movement that was taking root in the Teamsters. BLAST was named in a 1986 report of the President s Commission on Organized Crime as a premier example of the violence and intimidation used against Teamster reformers.[13]

Despite the substantial amount of work the firm has done for Hoffa, election campaign reports indicate that Finkel, Whitefield may be underbilling Hoffa, Jr.'s campaign for their legal work. Why would a law firm that works against Teamster members and locals be so generous to the Hoffa campaign?

2. EMPLOYER TIES TO HOFFA SUPPORTERS

Hoffa, Jr. s closest associates also have disturbing employer links that belie their commitment to defending members' interests. Mike Bane, President of Local 614 and a strong supporter of Hoffa, Jr., was once a boss at a company that busted a Pittsburgh-based union. In addition, Bill Hogan Jr. -- Hoffa, Jr. s running mate -- has ties to a management law firm whose chairman emeritus sits on the board of Gannet (co-owner of the Detroit Newspaper Agency that has "permanently replaced" 1,300 striking Teamsters). Hogan Jr. also has several close relatives who own businesses that employ his members or operate in industries represented by his local.

Mike Bane: Union-Buster

A key Hoffa, Jr. supporter is Mike Bane, President of Local 614 in Pontiac, Michigan. Hoffa, Jr., who has campaigned for Mike Bane s election as the head of Local 614, has said of Bane: "Mike and I share the same dream for this great international union." [14] Hoffa, Jr. pays his membership dues as a member of Local 614. In addition, as an attorney Hoffa, Jr. has represented Mike Bane and his local.

Unfortunately, Mike Bane has a history as a union-buster. After he was released from prison in the early eighties for stealing union funds, Bane signed on as a supervisor and boss at Shortway Airport Limousines.[15]

As a boss for Shortway, Bane was involved in an attempt to eliminate the unionized employees at Suburban Lines, Inc., a bus line in Pittsburgh purchased by Shortway and represented by Local 1543 of the Amalgamated Transit Union.[16] In 1982, Shortway fired the unionized employees at

Suburban Lines, and hired 22 new employees off the street in Detroit, none of whom were experienced drivers or mechanics.[17]

According to the transit union's complaint, Shortway then encouraged the new employees to join Teamsters Local 614.[18] Why did the company want the scab employees to join Local 614? Because Shortway negotiated a "sweetheart contract" with the union, a contract that paid significantly lower wages and eliminated pension and health benefits.[19]

Neverthless, the National Labor Relations Board ruled against Shortway, requiring the company to reinstate all former union employees to their old jobs with back pay, and withdraw recognition from Local 614.[20]

Billy Hogan, Jr. and Employer Ties

Jim Hoffa, Jr. chose Bill Hogan, Jr., president of Local 714 in Chicago, as his running mate for the post of General Secretary-Treasurer, the second highest position in the Teamsters. Like Hoffa, Jr., Hogan Jr. is not averse to hiring a management law firm that works against the interests of Teamster members and the labor movement. Recently, Hogan retained the law firm of Winston & Strawn to do a whitewash investigation of a mob-linked movie studio that involved several close Hogan family members.[21] Winston & Strawn has a long anti-labor record:

> The chairman emeritus of Winston & Strawn, Thomas A. Reynolds, Jr., is on the board of Gannett Co.,[22] co-owner of the Detroit Newspaper Agency that has "permanently replaced" some 1,300 striking Teamsters. In addition, Reynolds sits on the board of Union Pacific, parent of non-union trucking giant Overnite,[23] which is charged by the NLRB with more than 100 labor-law violations.
>
> In 1995, Winston & Strawn defended TSC Enterprises, Inc. -- a steel mill company in Lemont, IL -- against Teamsters Local 179. Local 179 charged that TSC failed to comply with the Worker Adjustment and Retraining Notification Act -- requiring 60 days' notice of plant closures -- when it terminated members at TSC Enterprise's steel mill.[24]
>
> Winston & Strawn has represented other Teamster employers, including E.J. Brach Co. (whose employees are represented by Teamsters Local 738)[25] and Beatrice Foods.[26] In the Brach lawsuit, the company charged union officers and local community groups with slander during a campaign against layoffs and a possible plant closing.
>
> Winston & Strawn has also opposed Teamster reform by representing Allen Dorfman, the most important mob figure in Teamsters history.[27] Dorfman -- a former business partner with Jim Hoffa, Jr. -- was the conduit for loans to the mob from the Teamsters Central

States pension and health funds in the sixties and seventies. According to Hoffa historian Dan Moldea, Dorfman s "job was to be sure that every section of organized crime got its fair share of the union s billion-dollar pension and welfare funds."[28] His rip-off of the Teamsters Central States Pension Fund cost members more than $385 million in bad loans and undercharges for loans to organized crime.[29] These are costs that have come directly out of benefits to Teamster retirees.

Winston & Strawn defended an employer against the National Labor Relations Board (NLRB) and the United Auto Workers. The NLRB found that the company had fired employees because of their union activities and was "coercively interrogating or threatening" other employees because of their union involvement.[30]

Winston & Strawn has defended employers against many other unions, including the United Auto Workers (vs. Caterpillar),[31] the Sheet Metal Workers,[32] the United Steelworkers,[33] the Service Employees,[34] the Allied Industrial Workers[35] and the United Paperworkers.[36]

Apart from his connections to the management law firm of Winston & Strawn, Billy Hogan, Jr. also has a thick web of family ties to employers who either hire Local 714 members or operate in the trade show and movie production industry, areas organized by Local 714.

Billy Hogan, Jr. s two sons, a cousin, a nephew, and a niece are principal officers and/or shareholders in Movies in Motion, a company that leases equipment to movie studios in Chicago. Movies in Motion employs Local 714 members.[37] Three of Hogan Jr.'s close family members also own SJB Rentals, which rents equipment in the movie industry.[38] Hogan Jr. s two sons also have shares in H & M Rentals, another company that rents trucks in the industry.[39]

Bill Hogan s sister and brother also have gotten into the act. Dawn Hogan owns Show Biz Chicago,[40] and together with her brother -- Michael Hogan -- owns National Show Services.[41] Both of these companies work in areas organized by Local 714. Michael Hogan has also had ownership shares in Rosemont Exposition Services, a company with a contract with Local 714.[42] Several other Hogan family members also own companies operating in the trade show and movie industry in Chicago.

The deep ties of Billy Hogan. Jr. to companies organized (or potentially organized) by the Teamsters creates a serious conflict of interest between the members he represents and the financial interests of his close family members.

2. HOFFA JR.'s ANTI-WORKER LEGAL CAREER

When asked about his qualifications, Hoffa, Jr. points to his 28 years as a lawyer for Teamsters in Michigan, claiming that he "fought on behalf of Teamster members" as an attorney in state and federal court. Yet an examination of the major cases of Hoffa, Jr. s legal career paints a different picture.

Rather than defending rank-and-file members, Hoffa, Jr. s legal career demonstrates a pattern of defending his old guard cronies against Teamster members. Time after time, Hoffa, Jr. defended the corrupt system which suppressed members' rights and enabled the old guard to run locals and pension funds with little or no accountability to the members.

Below are key cases in the legal career of Jim Hoffa, Jr. and his law firm:

1994: Your Money or Your Leg

From 1991 through 1994, Jim Hoffa, Jr. provided legal services to the Michigan Conference of Teamsters Health and Welfare Fund,[43] a $100 million trust fund in Detroit whose last two directors are currently serving prison terms. While Hoffa, Jr. worked for the Fund, the executive director was convicted of receiving $460,000 in illegal kickbacks from a vendor,[44] and the Fund was forced by the U.S. Department of Labor (DOL) to pay nearly $725,000 in restitution for excessive meal, entertainment, travel and administrative expenses, including golf outings, tabs at adult clubs featuring nude dancing and luxury automobiles.[45] While the Fund staff lived the high life, Hoffa, Jr.'s law firm worked to deny benefits to Teamster members like the one below.

The Facts[46]

In 1991, Philip B. McDuffey -- a Teamster covered for accidental disability by the Michigan Conference of Teamsters Welfare Fund (the Fund) -- was at work loading a garbage truck when he was struck by a moving car. McDuffey sustained a crushing injury to his lower left leg in the accident. Doctors attempted to save the limb, but eight months later his leg had to be amputated below the knee. McDuffey applied for accidental death and dismemberment benefits from the Fund, which provides $10,000 for the loss of a limb. However, the Fund denied the benefits, claiming that since his amputation had not occurred within 90 days of the accident, he was not eligible for the benefit. McDuffey argued that the decision was irrational, forcing him to choose between receiving further medical care to try to save the limb, or amputate the leg for the benefits.

McDuffey appealed the decision to the Board of Trustees of the Fund, who ruled that he did not qualify for the benefits. McDuffey sued the Fund to get his benefits. But Hoffa, Jr. s firm chalked up a victory, successfully defending the Fund and denying McDuffey his disability benefits for his amputated leg. Meanwhile, Hoffa s cronies lived it up at the Fund, racking up expenses in a few days that could easily have paid McDuffey s disability benefits.

1993: Putting Nepotism First

Nepotism and favoritism have long been hallmarks of old guard Teamsters , eroding many members belief that the union fairly represented their interests. Nevertheless, Hoffa, Jr.'s law firm represented Howard Molpus, the ex-president of Local 332, in a case in which Molpus allegedly arranged for Local 332 members to lose their seniority rights in order to protect the job of Molpus son.

The Facts[47]
Robert Williams worked for Complete Auto Transit, which provided over-the-road transportation of new vehicles from GM s truck and bus plant in Flint, Michigan and all related yard work. Williams, a member of Local 332, had 33 years of seniority at the company.

In 1992, Ryder transferred the yard work at GM s Flint yard from Complete to another Ryder subsidiary called Transport Support, Inc. (TSI). Under the union contract, the Teamster members at Complete should have had their seniority list "dovetailed" with the list at TSI. In fact, when TSI had previously taken over work from another company called B & C, the B & C drivers had retained their seniority dates.

However, a new local rider to the National Masters Automobile Transporters Agreement governing TSI s yard work in Flint was negotiated between Local 332 and Ryder. Howard Molpus, the principal officer at Local 332, negotiated a provision which "endtailed" the Complete drivers to the bottom of the TSI seniority list. Employees of Complete were not allowed to vote on the "endtail" provision, only on whether they wished to transfer to TSI or lose their jobs. Although Molpus claims that he negotiated the "endtail" provision because Ryder demanded the concession, the company said on the record that it didn t care whether the Complete drivers were "endtailed" or "dovetailed."

Why did Molpus negotiate an endtail provision to the local rider? Apparently because Molpus' son was employed at TSI with only two years of seniority. If the seniority lists of Complete and TSI had been dovetailed, Molpus' son would have been laid off.

Instead, Williams -- with over 33 years of seniority -- and other members at Complete lost their hard-earned seniority rights at the GM yard. Williams sued Molpus, Local 332 and the employers, and Hoffa, Jr. s firm defended the Local. In fact, Hoffa recently lent his name to

Molpus re-election effort to head the Local. The membership overwhelmingly rejected Molpus by a 2-to-1 margin.[48]

1992: Opposing Democratic Union Rights

Hoffa, Jr. appears to support democracy only when it suits his purposes. In this case, Hoffa, Jr. defended a slate of candidates who refused to leave office after the membership voted them out.

The Facts[49]

In 1992, Hoffa, Jr. represented a defeated slate of candidates in Local 707 who refused to give up their posts after losing a court-ordered rerun election. The federal court had ordered the rerun because three incumbents had been banned from the Teamsters by the Independent Administrator for "knowingly associating with a member of La Cosa Nostra."[50] In the new election, the incumbents lost the election, but refused to give up power. A federal judge threatened Hoffa and the incumbent officers with fines and contempt citations, and they finally relinquished control to the elected officers.

In deciding the case, Judge David Edelstein had this to say to Hoffa and the old guard incumbents:

> It is time for the seven incumbent officers of Local 707...and Mr. Hoffa to realize that Local 707 is not their personal fief. Put colloquially, the incumbents are not children and Local 707 is not a 'ball that they can take home when they do not like how others are playing...By refusing to leave office, the incumbents have violated the IBT constitution, which they swore to uphold, and have defied the wishes of the Local Union s membership as expressed in the election ousting them from office.[51]

Judge Edelstein singled out Hoffa s behavior as "irresponsible and thoughtless,"[52] and called the actions of the Hoffa-backed incumbents an "affront to the rank-and-file of the Local Union" and an "embarrassment to the entire IBT."[53]

1992: Getting Rid of "Troublemakers"

Hoffa, Jr. claims that one of the reasons he is qualified to be General President is his experience handling grievances for Teamster members as a lawyer in Detroit. Yet as legal counsel for Local 332 in Flint, Michigan, Hoffa, Jr. and his firm did just the opposite, working *against* a Teamster member who had been unfairly fired from his job.

The Facts[54]

Paul Lipp -- a member of Local 332 in Flint, Michigan -- worked as a fork-lift driver with Shue & Voeks in 1984. Lipp filed two grievances against the company, incurring the wrath of Kent Jones, a union steward who was also a part owner of the company. When Lipp filed the grievances, Jones became hostile and threatened that he would get rid of Lipp.

A few months later, Lipp was hurt in a fall at work, and suffered a back injury. Lipp submitted a letter from his doctor to the company indicating that he would be unable to return to work for a month and a half because of the injury. However, the company claimed it did not receive the letter, and fired Lipp from his job. Lipp filed a grievance with Don Bloss, a business agent at the local, and the case went to arbitration.

At the arbitration hearing, the company claimed that it had never received a signed grievance from Lipp, calling Kent Jones (the union steward and part owner who threatened to get rid of Lipp) to testify to that fact. Despite the fact that the local knew that the company would raise the false allegation that the grievance had never been filed, Don Bloss (the union representative who had taken Lipp s grievance) failed to appear at the arbitration to testify. Bloss told Lipp he couldn t attend the hearing because he had to be in Ann Arbor for a contract negotiation. When Lipp returned to the local immediately after the hearing, Bloss was at the union hall. He had not gone to Ann Arbor.

Instead of Bloss, Lipp was represented at the arbitration hearing by Norman Meintz. Interestingly, Meintz was convicted of stealing union funds with Mike Bane, a close associate and campaign aide of Jim Hoffa, Jr. s.[55]

Without anyone to testify that he had ever filed a grievance, Lipp lost the grievance and was fired. With nowhere to turn, Lipp sued both the union -- represented by Jim Hoffa, Jr. -- and the employer. The case went to trial and the jury found both the company and the union guilty. The jury awarded Lipp a substantial amount in compensatory damages.

1989: Keeping Teamsters in the Dark

Jim Hoffa, Jr. often pays lip service to the tenets of union democracy, yet his actions as an attorney suggest that he has not supported the principles of openness and accountability that are essential to participation by members in their locals. Hoffa, Jr. s legal work for Local 283 clearly demonstrates this point.

The Facts[56]

Hoffa was legal counsel for Teamsters Local 283, a local in Wyandotte, Michigan headed by George Vitale. In 1990, Frederick Lacey -- a court-appointed officer overseeing the Teamsters -

- suspended Vitale from the Teamsters for five years after finding that Vitale was guilty of embezzling $10,116 in Local 283 funds, filing false and misleading financial records and attempting to embezzle a $25,000 Lincoln Town Car.[57] The charges against Vitale noted that the "embezzlement was undertaken by [Vitale] in full knowledge that the Local ...was in precarious financial condition."[58]

Vitale was also accused of deliberately keeping Local 283 members in the dark about union affairs to facilitate his reign of corruption. Charles Carberry, a court-appointed investigator assigned to root out corruption in the Teamsters, charged that Vitale "actively discouraged members participation in the affairs of the union and deliberately sought to keep them ignorant of the duties and actions of the executive board of Local 283, and otherwise sought to keep hidden union information of which the membership should have been informed."[59]

Carberry cited two examples of this pattern in which Hoffa, Jr. played an active role as an attorney. First, Vitale refused to allow members of the local to review their collective bargaining agreements -- information members had a right to under federal law, the Teamsters constitution and Local 283 bylaws. In federal court, Hoffa, Jr. defended Vitale s decision to withhold the contracts from the members, arguing that they had no right to view the contracts. However, the judge disagreed with Hoffa, Jr. and issued a temporary restraining order directing open access to the Local s agreements.[60]

Second, after losing an election to a slate of reform candidates, Vitale refused to let the new officers review the local s books and financial records. The reform candidates were particularly concerned about the local s finances given that Vitale had tried a month earlier to embezzle a Lincoln Town Car (a charge that eventually got him banned from the union). Yet in federal court, Hoffa Jr. strenuously defended Vitale s attempt to keep the financial records secret. The Court disagreed with Hoffa, Jr., issuing an injunction requiring open access to the union s records and requiring approval by the new officers for expenditure of funds.[61] In connection with the case, the judge lambasted Hoffa for wasting members' dues on the litigation:

> Your conduct is needlessly wasteful and expensive, and a burden on the Court, on counsel, and on your own client. And I think if you re going to continue to represent this client, you should reevaluate your position. The people you represent work hard. They do physical labor for a livelihood. They are not lawyers, and most of them have no hope of ever becoming a lawyer. They hope, in fact, through their membership in a union such as this to be able to educate their children as your parents were able to, to spare them the back-breaking work they are undergoing. Their dues in this organization are paid to advance their lives, not to set off your ego.[62]

1989: Denying Elections to Flight Attendants

Jim Hoffa, Jr. says in the *Hoffa Slate Convention Platform* that he will guarantee the "right to vote" and "increase democracy" in the Teamsters. Once again, Hoffa, Jr. s rhetoric clearly does not match his practice as an attorney.

The Facts[63]
Peggy Farrell and the other members in the case were flight attendants for Republic Airlines, which merged with Northwest Airlines in 1986. To persuade employees to vote for the Teamsters, who were engaged in a certification contest with the Association of Flight Attendants, the IBT promised that new locals would be chartered in Detroit and Memphis. In addition, the IBT pledged that the members would have the right to elect representatives to committees, especially bargaining committees. Because a contract was being negotiated between the IBT and Northwest, the flight attendants were particularly concerned that they be represented in the negotiations.

As a result of the promises by the IBT, the flight attendants voted to recognize the Teamsters as their collective bargaining agent. However the IBT reneged on its promises, refusing to charter new locals. The flight attendants wrote William Genovese, the Director of the Airline Division, asking that their rights as Teamsters be respected:

> We were promised newly chartered locals, with the right to elect our local union officers, but after two full years as Teamster members, we still have no local union. In Memphis we do not even have an appointed local representative to handle our problems. When Memphis flight attendants call the Minneapolis union offices long distance, we are often denied help...[I]t is now time for the Airline Division to carry through on its promise to charter new Detroit and Memphis local unions.[64]

Despite the pleas of the flight attendants, the IBT refused to recognize the member's rights under the IBT Constitution. With nowhere to turn, the attendants sued the IBT, demanding that the promised locals be chartered in Detroit and Memphis. The IBT s Airline Division, represented by Jim Hoffa, Jr., fought the attempts of the members to stand up for their rights. However, as a result of the suit, the IBT finally chartered Local 2757 in Detroit, but took the unusual step of putting the local in trusteeship the very same day, denying the members the right to elect their own representatives.

1985: Defending Discrimination

More than 300,000 members of the International Brotherhood of Teamsters are women. Jim Hoffa, Jr. claims to support the contribution of women to the Teamsters. Yet as an attorney for Local 299 in Detroit, Hoffa, Jr. actually defended officials of Teamsters Local 299 who discriminated against working women.

The Facts[65]

Frances Jones and the other members in the case were all female office workers represented by Teamster Local 299 at the Square Deal Cartage Co. At that time, the women at Square Deal had a raw deal: they were the lowest-paid union-represented people in the entire car-haul industry.

In 1976, Square Deal was purchased by Cassens Transport, and the union engaged in year-long negotiations with Cassens over the fate of the employees at Square Deal. As a result of these negotiations, all male employees doing garage, yard and driving work at Square Deal moved to Cassens with full seniority.

However, the officers at Local 299 took no action to protect the jobs of the women workers in the office. In fact, during negotiations with Cassens over the Square Deal employees, the situation of the female office workers was never even discussed. Men were allowed into the negotiations, but the women were not. Jones and the other workers tried to set up meetings with the Union, but were told that the Union representative was indefinitely unavailable.

After Square Deal closed and the women office workers were fired, Cassens management subsequently hired three new office workers: all "young men." In a meeting with the Local, Cassens President told the Local officer that he wanted no union members in the office staff. The union official did not raise any protest and took no action against Cassens.

In addition, Jones and the other female members were never given an opportunity to do yard and driving work, even though they repeatedly requested these better-paying jobs over the years.

Why wouldn t Cassens or Local 299 allow the women into the yard? According to the court, "[Cassens] management made it absolutely clear, over the years, that women were not wanted in the yard, claiming that they 'make trouble. "[66] Although women at Square Deal had worked as drivers during World War II, the women s requests for the better-paying yard and driving jobs were repeatedly denied over the years by management and Local 299 officers. The women were "laughed off; were told that they could not tie down cars or load a truck, could not bear the cold."[67]

The women were never tested to see if they were qualified to perform the yard jobs. According to the court, many of the women appeared "to the layperson s eye to be far more physically fit than many of the drivers who moved into the yard." In fact, the court noted that one of the women "had been a wartime riveter of airplane doors, which she lifted in the course of that job."[68]

Out of work, the women Teamsters sued the union and Cassens for discrimination. Hoffa, Jr. defended the Local s practices, but a Federal Court disagreed with Hoffa:

> The credible facts of record here clearly demonstrate that...the women were the victims of intentionally disparate and less favorable treatment than the...male employees at Square Deal whom this union represented. Employer management...had a sex-based animus against female workers on the premises. The union pandered to that animus in its zeal to represent its male members (and even male outside applicants for jobs) at the expense of the women, whom it considered to be no more than an auxiliary to the real bargaining unit, and a source of unobligated dues for twenty years.[69]

After the trial, the court awarded the women substantial damages. The company paid its half. But the union hired new lawyers to appeal the judgment, succeeding by using a technical argument not made by Hoffa, Jr. in the trial court.[70]

1981: The Case of the Disappearing Pensions

As an attorney for Local 337 in Detroit, Hoffa, Jr. worked to deny pensions to workers at the Kroger Bakery, many of whom had more than twenty years in seniority.

The Facts[71]

Before 1971, the employees of Kroger Bakery Division were entitled to pensions through the Kroger Retirement Income Plan. As a result of the 1971-1973 Master Agreement, Kroger decided to end its company pension plan, transferring employees to the recently created Teamster Central States Pension Fund.

However, according to the terms of the Central States Pension Fund, employees transferred from the Kroger Pension Plan would not be entitled to a pension until Kroger Company had made contributions to the Central States Pension Fund for a period of eight and a half years. Local 337 and the Kroger Company failed to tell the employees that if their jobs ended with Kroger -- through death, illness, lay-off, plant closing or any reason -- before the eight and a half year period, they would have no pension.

In 1979, the Kroger Company closed the Bakery Division, just 30 weeks shy of the eight-and-a-half year period. The members learned for the first time that they would have no pensions, even though many of them had worked at Kroger between 20 and 40 years.

Facing the devastating loss of their pensions, the members repeatedly tried to arrange a meeting with Bobby Holmes Sr. (then president of Local 337 and a trustee of the Fund) and their business agents to address the problem, but Holmes refused to meet. They wrote letters outlining steps that the Local might take to save their pensions, but Holmes wouldn t respond. With no avenues left, they took to the street, picketing the Local 337 union hall. Holmes denounced the members, calling them "a small group of political malcontents."[72] Holmes view on the members plight was made clear when he wrote to the pensionless members that "there is no further action that this Union can take on your behalf."[73]

After two years of this struggle with their union, the members sued Holmes, Local 337, the Central States Pension Fund and Kroger Company to recover their rightful pension benefits. As a result of the suit, a settlement was reached providing full pension rights to the Kroger Bakery employees. The settlement plan was one which could, and should, have been negotiated by Local 337 officers. Yet the Local 337 officers and their lawyer, Hoffa, Jr., chose instead to fight the members every step of the way.

The fact that Holmes was hostile to the pensionless workers in this case should not have surprised Jim Hoffa, Jr. Holmes, along with the other trustees of the Central States Pension Fund, was sued by the Department of Labor for mismanaging pension fund assets and wrongfully denying benefits to Teamster members. As a result of a settlement, Holmes was required to personally pay $175,000.[74]

1981: Dissent Equals No Seniority and No Job

Hoffa, Jr. has a long record of helping to suppress dissent and differing views in the Teamsters union. In this case, Hoffa, Jr. defended a local s attempt to eliminate the seniority rights of a group of members who were too critical of the leadership's contract concessions and undemocratic structure.

The Facts[75]

Up until 1980, Teamster Local 299 member Richard Marcum was a dockman at the Six Mile terminal in Wayne County, Michigan for Central Cartage, a freight transportation company. While Marcum had worked at the terminal for more than ten years, he and other members were not looked upon kindly by the Local 299 leadership or Central Cartage. Marcum and other workers had criticized the undemocratic structure of the local, arguing for bylaw amendments that would give members the right to elect their own stewards, business agents and to directly elect the union's General President. Marcum had also criticized the local s weak contracts, and attacked Central Cartage s use of alter-ego companies to take away work from the members at his terminal. In retaliation for his dissent, Marcum was assaulted and severely beaten by four Central Cartage employees.

In May of 1980, Central Cartage substantially shifted all of its freight from the Six-Mile Terminal in Wayne County to another facility in Romulus, Michigan. According to the collective bargaining agreement, the displaced employees at the Six Mile terminal -- all members of Teamster Local 299 -- had rights to have their seniority "dovetailed" with that of the Romulus employees for purposes of maintaining continuous employment status and associated benefits and to guarantee recall rights from layoff status.

However, Local 299 business agents improperly made an agreement, violating the terms of the collective bargaining agreement, to abrogate the seniority rights of the members at the Six-Mile Terminal. Simply put, the company and the local wanted to get rid of the "troublemakers" at the Six-Mile Terminal. Interestingly, the agreement was negotiated by John Burge, a nephew of Jimmy Hoffa, Sr. Burge was an organizer for BLAST, a group identified in a 1986 report of the President s Commission on Organized Crime as engaged in violence and intimidation against Teamster reformers.[76] Burge was later convicted for accepting bribes from an employer in return for wage and benefit concessions.[77] Another participant in the improper agreement was Hank Bechard, a business agent at Local 299 who would later be promoted to management at Central Cartage.

With the members at the Six-Mile terminal out of a job, Romulus workers with no seniority or less seniority than the Six-Mile members continued to work. Under the collective bargaining agreement, some of these jobs rightfully belonged to the Six-Mile terminal employees on dovetailed seniority basis. Out of work, and facing the loss of their homes and savings, Marcum and the other employees sued Local 299 and Central Cartage. Local 299, with Hoffa, Jr. as its legal counsel, tried to deny the members their rightful seniority rights. However, facing a loss in court, Local 299 and Central Cartage settled with the Six-Mile members.

4. IS HOFFA, JR. A WORKING TEAMSTER?

Jim Hoffa, Jr. claims that he has "been a working Teamster all his life." He proudly notes on his campaign biography that he has "loaded and unloaded freight" and "worked as a Teamster truck driver, bus driver, and heavy equipment operator." However, Hoffa, Jr. s few so-called Teamster jobs were nothing more than summer employment arranged by his father.

Hoffa, Jr. lists two rank-and-file jobs on his resume: 1) "Teamster truck driver, bus driver, and heavy equipment operator at Ballistic Missile Early Warning System in Clear Alaska" and 2) "loaded and unloaded freight from Great Lakes ships" as a member of Local 299.[78] The Alaska job was a summer job arranged as a favor to Jimmy Hoffa, Sr.[79] The Local 299 job -- the home local of Jimmy Hoffa, Sr. -- also appears to be nothing more than a summer job while he was in school.[80]

When Hoffa, Jr. was fresh out of law school in 1967, his father arranged a $30,000-a-year retainer ($130,000 in 1996 dollars) from the International Brotherhood of Teamsters.[81] After Hoffa, Jr. and his mother were forced off the IBT payroll in 1974 (Mrs. Hoffa, Sr. drew her salary for working at the "women s auxiliary" of the DRIVE political action committee),[82] Hoffa, Jr. made his living as a lawyer for Detroit with ties to his father. He has not driven a truck, unloaded freight or operated heavy equipment as a form of employment since he graduated from law school 28 years ago.[83] In fact, in 1991 the court-appointed election officer ruled that Hoffa was ineligible to run for the General President because he could not meet the Teamsters Constitution's minimum requirement of two years' work in a union position or "Teamsters craft."[84]

In 1993, Larry Brennan -- the son of Bert Brennan, a crony, business partner and co-conspirator in several illicit deals with Hoffa Sr. -- hired Hoffa, Jr. as a full time "administrative assistant" to make him eligible to run for General President in 1996. While Hoffa claims that his duties include "organizing, contract negotiations, dispute mediation and serving on the joint state grievance panels," there is little evidence that Hoffa has performed any of these tasks. In fact, Brennan told a reporter that Hoffa doesn t "do dick" as an administrative assistant.[85]

5. PROFITING OFF MEMBERS' DUES

In his campaign, Hoffa, Jr. proclaims his opposition to "expensive IBT perks" and high salaries for Teamster officials. Yet as an attorney, Hoffa, Jr. displayed little restraint in piling up high legal fees at the expense of dues-paying members.

For many years, Hoffa, Jr. received a $16,000-a-year retainer from the Central Conference of Teamsters.[86] This was separate from the many retainers and legal fees Hoffa, Jr. received from Michigan-based locals (for example, Hoffa, Jr. billed local 299 more than $87,000 in 1985,[87] and Local 283 more than $51,000 in 1990,[88] while also receiving legal fees from other Teamster and benefit funds).

The Central Conference -- one of four U.S. Area Conferences of the Teamsters -- was eliminated in 1994 by General President Ron Carey as part of his effort to eliminate the multiple salaries and pensions of Teamster officers, and to cut back on lavish spending and waste. Four of Hoffa, Jr.'s key backers lost substantial salaries as a result of the elimination of the conferences: Larry Brennan, president of Joint Council 43 and Hoffa, Jr.'s current boss; Bill Hogan, Jr., Hoffa, Jr.'s running mate for General Secretary-Treasurer; Les Singer, a candidate for Vice President on the Hoffa slate; and Fred Gegare, Vice President candidate on the Hoffa slate.

While Hoffa, Jr. collected his annual $16,000 retainer, the Central Conference -- staffed by Hoffa, Jr.'s key supporters -- was a virtual case study of outrageous perks and corruption in the Teamsters:

> At a time when the Central Conference was losing money and Carey was cutting his own salary by one-third, the Central Conference raised its own salaries at least 400 percent from 1989 to 1993.[89]
>
> Policy Committee meetings of the Central Conference were routinely held at luxury resorts in Florida, Arizona and California.[90]
>
> Dues paid by local unions to the Central Conference were raised by about $850,000 per year in July 1992. Yet, in 1993, the total assets of the Central Conference declined by more than $700,000.[91]

Apart from the handsome retainer Hoffa, Jr. received from the Central Conference of Teamsters, Hoffa, Jr. also received substantial fees from Teamsters that he represented. For example, when Hoffa traveled to Long Island, N.Y. to represent a mobbed-up local, he charged the members $175 an hour for his legal "work." His total charges for one month were $4,550 for only 26 hours of work.[92]

As a result of Hoffa Jr's high legal fees, he developed an excellent pension plan for himself. At the end of 1992, his law firm's pension plan had nearly $600,000 in assets (for three beneficiaries), and his profit sharing plan contained more than $840,000 in assets (for three beneficiaries).[93]

6. BORN WITH A TEAMSTERS SPOON IN HIS MOUTH

Hoffa claims in his campaign flyers that he "has no Teamsters Pension, none." From one perspective this is true -- Hoffa has never worked long enough as a Teamster to be entitled to a pension. On the other hand, Hoffa, Jr. neglects to mention that he and his sister inherited more than $2.4 million from Hoffa Sr. s estate.[94] Part of the estate included more than $800,000 that

Hoffa, Jr. successfully recovered from Hoffa Sr. s stake in the Teamsters Retirement and Family Protection Plan, a pension plan paid for by the IBT for Teamster officers and staff.[95]

Hoffa, Jr. was also the beneficiary of Teamsters pension money in another way. Hoffa, Jr. s inheritance included the proceeds from the sale of property and condos owned by Hoffa Sr. in Titusville, Florida.[96] This property was the site of a scheme for which Hoffa Sr. was later convicted for misusing $20 million of Teamster pension fund money.[97]

As administrator of his father s estate, Hoffa, Jr. tried to recover $600,000 from investments that Hoffa Sr. had made in Pennsylvania coal mines in the 1970s. While Hoffa, Jr. was unable to collect the full amount, he eventually netted $164,000 from the coal mine investment.[98]

Hoffa, Jr. s role as administrator of his father s estate also sheds light on Hoffa, Jr. s claim that he "lives as a Teamster." In 1982, Hoffa, Jr. petitioned the Probate Court to provide him with $80,000 to disburse in $10,000 gifts to eight Hoffa family members. Hoffa, Jr. told the court that it was Jimmy Hoffa Sr. s "custom during his lifetime" to provide such gifts.[99] While this may have been the Teamster way of life for the Hoffa family, it certainly doesn't reflect most Teamsters' working lives.

CONCLUSION

To make an attempt at portraying himself as a credible candidate for IBT President, Hoffa, Jr. pads his resume to suggest that he has been a "working Teamster all his life." Yet the fact is that Hoffa, Jr. -- a millionaire at age 35 -- has never worked a full-time, year-round job as a working Teamster, nor has he ever been elected to a Teamsters post. Moreover, he and his law partners work for employers with anti-union records, and he employs a law firm whose bread-and-butter business is representing employers against organized labor.

But Hoffa, Jr. s most egregious distortion of his record is his suggestion that he supports democracy and the protection of members rights. Rather, throughout his legal career, Hoffa has displayed a disdain for the democratic process -- by defending Teamster officials who refused to leave office after losing a fair election, by supporting a corrupt Teamster official who refused members basic rights to view their own contracts and local s finances and denying members the right to their own locals with elected officials. And when Teamsters members rights have been trampled -- seniority taken away by Teamster officials seeking to protect relatives or punish outspoken members, members fired by bosses for filing grievances, pension benefits lost because of negligent and unaccountable officials, or women discriminated against by employers and union officials -- Hoffa, Jr. has been on the anti-worker side.

In sum, Hoffa, Jr. has never taken tough stands that might have jeopardized his cozy relationships with a network of cronies and employers. Given his history, Hoffa, Jr.'s tough talk about defending the members amounts to nothing more than overblown campaign rhetoric. There can be little doubt that a Teamsters Union led by Hoffa, Jr. would look very much like the Teamsters Union of the past -- where union leaders would be unaccountable to the members and the members would be denied their most basic rights to fair, vigorous representation from their union.

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